

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**PHILLIPPI S. LOWE,**

**Plaintiff,**

**VS.**

**CONECUH COUNTY, et al.,**

## Defendants.

**CIVIL ACTION 04-0190-WS-C**

## ORDER

By order entered October 12, 2004, Judge Pittman dismissed this action for lack of subject matter jurisdiction, without prejudice to the plaintiff's ability to file a new lawsuit adequately invoking federal jurisdiction. (Doc. 27). The plaintiff has neither appealed that ruling nor filed any appropriate, timely post-judgment motion. Nor has he filed a new lawsuit.

The plaintiff has, however, filed a number of pleadings since the dismissal of the action. On November 29, 2004, he filed a “Motion Second Motion to Defendants to Return Plaintiff Land/House/Car That They Illegally Stole, as Plaintiff Do Not Want This Legal Fight.” (Doc. 30). On November 30, 2004, he filed a “Motion for Extension of Time to Offer Defendants Settlement to Return Stolen Land/House/Car, to Avoid Federal Law Suit, and Federal Prosecution.” (Doc. 32). Both pleadings suggested to certain defendants that they should settle with the plaintiff in order to avoid a second lawsuit. Judge Pittman entered orders correctly striking these pleadings because the action had been dismissed. (Docs. 31, 33).

The plaintiff has now filed a “Motion: Notification of 12 Million Dollars Inevitable Legal Action for Federal Statute Violation in Reference to Case No. 04-0190-P-C That Will Now Include Virgil Pittman in His Capacity as Senior U.S. District Judge/Also William E. Cassady in His Capacity as U.S. Magistrate Judge, and Other Defendants A, B, C, D, Who Are Unknown to Us at This Time, But Will

Be Amended When Ascertain.” (Doc. 34).<sup>1</sup>

Because, as the plaintiff has been informed on multiple occasions, this action has been dismissed, it is **ordered** that the referenced pleading is **stricken**. Whatever “legal action” the plaintiff contemplates in the stricken pleading can be pursued only by filing a new lawsuit in this or some other jurisdiction.

DONE and ORDERED this 4<sup>th</sup> day of May, 2005.

s/ WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Because the pleading threatens legal action against Judge Pittman, the matter has been reassigned to the undersigned for disposition.